

UTILITIES DIVISION[199]

Adopted and Filed

Rule making related to natural gas safety standards

The Utilities Board hereby amends Chapter 10, “Intrastate Gas and Underground Gas Storage,” and Chapter 19, “Service Supplied by Gas Utilities,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 474.5 and 476.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 476 and 479.

Purpose and Summary

Federal regulations require the Utilities Board, as an agent of the federal Pipeline Hazardous Materials Safety Administration, to update its rules every two years so that the Board is applying the most recent federal regulations during inspections of natural gas pipelines. This rule making updates the rules as required.

The updates bring the Board’s safety rules for natural gas pipelines into compliance with federal regulations so that pipeline companies in Iowa are not required to comply with two sets of safety regulations. Updating the rules will not change any of the requirements for natural gas pipelines since the Board inspects based upon the most current federal regulations and pipeline companies are required to comply with those regulations.

The Board issued an order adopting amendments on February 28, 2019. This order is available on the Board’s electronic filing system, efs.iowa.gov, under Docket No. RMU-2018-0003.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 19, 2018, as **ARC 4173C**.

The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, filed a comment stating it did not object to any of the proposed amendments. No other comments were filed. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on February 28, 2019.

Fiscal Impact

The adopted amendments update existing rules for natural gas safety standards which the companies are required by federal regulations to follow. No fiscal impact is expected.

Jobs Impact

After analysis and review, the Board concludes the amendments will not have a detrimental effect on employment in Iowa.

Waivers

No waiver provision was adopted because the Board has a general waiver provision in rule 199—1.3(17A,474,476) that specifies procedures for requesting a waiver of the rules in Chapters 10 and 19.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on May 1, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 10.12(1) as follows:

10.12(1) All pipelines, underground storage facilities, and equipment used in connection therewith shall be designed, constructed, operated, and maintained in accordance with the following standards:

a. 49 CFR Part 191, "Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports," as amended through ~~October 19, 2016~~ May 1, 2019.

b. 49 CFR Part 192, "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," as amended through ~~October 19, 2016~~ May 1, 2019.

c. 49 CFR Part 199, "Drug and Alcohol Testing," as amended through ~~October 19, 2016~~ May 1, 2019.

d. ASME B31.8 - ~~2007~~ 2016, "Gas Transmission and Distribution Piping Systems."

e. and f. No change.

Conflicts between the standards established in paragraphs 10.12(1)"a" through "f" or between the requirements of rule 199—10.12(479) and other requirements which are shown to exist by appropriate written documentation filed with the board shall be resolved by the board.

ITEM 2. Amend subrule 19.2(5) as follows:

19.2(5) *Annual, periodic and other reports to be filed with the board.*

a. to f. No change.

g. *Reports to federal agencies.* Copies of reports submitted to the U.S. Department of Transportation pursuant to 49 CFR Part 191, Part 192, or Part 199, as amended through ~~October 19, 2016~~ May 1, 2019, shall be filed with the board. Utilities operating in other states shall provide to the board data for Iowa only.

h. to k. No change.

ITEM 3. Amend subrule 19.5(2) as follows:

19.5(2) *Standards incorporated by reference.*

a. The design, construction, operation, and maintenance of gas systems and liquefied natural gas facilities shall be in accordance with the following standards where applicable:

(1) 49 CFR Part 191, "Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports," as amended through ~~October 19, 2016~~ May 1, 2019.

(2) 49 CFR Part 192, "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," as amended through ~~October 19, 2016~~ May 1, 2019.

(3) 49 CFR Part 193, "Liquefied Natural Gas Facilities: Federal Safety Standards," as amended through ~~October 19, 2016~~ May 1, 2019.

(4) 49 CFR Part 199, “Drug and Alcohol Testing,” as amended through ~~October 19, 2016~~ May 1, 2019.

(5) ASME B31.8 - ~~2007~~ 2016, “Gas Transmission and Distribution Piping Systems.”

(6) NFPA 59-~~2004~~ 2018, “Utility LP-Gas Plant Code.”

(7) At railroad crossings, 199—42.7(476), “Engineering standards for pipelines.”

b. The following publications are adopted as standards of accepted good practice for gas utilities:

(1) ANSI Z223.1/NFPA 54-~~2015~~ 2018, “National Fuel Gas Code.”

(2) NFPA 501A-~~2013~~ 2017, “Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities.”

ITEM 4. Amend subrule 19.8(3) as follows:

19.8(3) *Turning on gas.* Each utility upon the installation of a meter and turning on gas or the act of turning on gas alone shall take the necessary steps to assure itself that there exists no flow of gas through the meter which is a warning that the customer’s piping or appliances are not safe for gas turn on (Ref: Sec. 8.2.3 and Annex D, ANSI Z223.1/NFPA 54-~~2015~~ 2018).

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